

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1641 #4 \$
RECEIVED

Application of)

July 10, 2002

JUL 19 2002

SUSAN FLAPPAN)

TECH CENTER 1600/2900

Serial No. 10/058,595)

Filed: January 28, 2002)

For: MOLD DETECTION KIT)

COPY OF PAPERS
ORIGINALLY FILED

Assistant Commissioner For Patents
Washington, D. C. 20231

Sir:

PETITION TO MAKE SPECIAL

RECEIVED
AUG 30 2002
TC 1700 MAIL ROOM

Applicant hereby petitions to make the above-identified application special and be advanced out of turn on the ground of actual infringement, pursuant to 37 C.F.R. 1.102 and MPEP 708.02. Applicant submits herewith the required fee of \$130 and authorizes any underpayment to be charged to Deposit Account No. 03-1425. Following is the required attorney statement regarding infringement.

Statement

1. As further explained in this paragraph, a device is in use which infringes some of the product and method claims as set forth in the pending patent application. The device is a Tape Lift Kit obtained by the applicant from Aerotech Laboratories, Inc. on or about July 2, 2002. Applicant had previously disclosed her device, as shown in the application, to this entity.

07/18/2002 TUESDAY 00000033 10058595

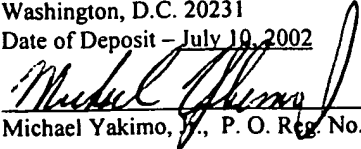
01 FC:122

130.00 OP

(Docket 2845)

BEST AVAILABLE COPY

I hereby certify that this paper is being deposited with the U. S. Postal Service with sufficient postage as first class mail addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231
Date of Deposit - July 10, 2002

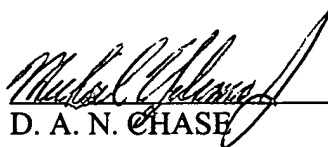

Michael Yakimo, Jr., P. O. Reg. No. 28,549

2. A rigid comparison of the allegedly infringing Tape Lift Kit was made with the now pending claims of this application. In the opinion of the undersigned, at least claims 1 and 6 are directly infringed. Claims 10, 12, 13 and 14 are also infringed whether pursuant to the doctrine of contributory infringement or inducement to infringement.

3. The undersigned has good knowledge of the pertinent prior art as disclosed by applicant in paragraphs 2-3 of the pending application.

Therefore, applicant, through her attorney, requests that the application be made special and advanced out of turn for subsequent prosecution.

Respectfully submitted,



D. A. N. CHASE
Patent Office Reg. No. 20,682
MICHAEL YAKIMO, JR.
Patent Office Reg. No. 28,549
GINNIE C. DERUSSEAU
Patent Office Reg. No. 35,855
JAMES J. KERNELL
Patent Office Reg. No. 42,720
SEAN T. BRADLEY
Patent Office Reg. No. 46,572
CHASE LAW FIRM, L.C.
4400 College Boulevard, Suite 130
Overland Park, Kansas 66211
Telephone: (913) 339-9666

Attorneys for Applicant